

## How does the Self-Determination Program relate to CMS & the Lanterman Act?

## **FEDERAL**

Determination is a new waiver for California.

1.
CMS offers Medicaid Waiver funding to divert individuals from going into long term Medicaid funded institutional care. Self-

2. DHCS applies for Waiver funding from CMS. The Waiver describes the types of services reimbursable by CMS

 After approval, DHCS designates DDS to implement SDP Waiver in CA

4. DDS contracts with 21 regional centers to provide services

5. Service Coordinators work with consumers (No services can be funded under SDP that are not reimbursable by CMS Federal \$)

## **STATE**

Lanterman Act outlines law within
California which includes implementation of
Self-Determination Program

2. Lanterman Act outlines SDP, SDP Local
Advisory Committees (Regional Centers, DRC/
OCRA, and SCDD involved), SDP Statewide
Committee (coordinated by SCDD)

3. Lanterman Act does not address the funding issues, focuses on who is responsible for what

- No other state has a regional center system/structure (entitlement) or necessarily, a Dept. of Developmental Services (DDS). Each state is different. CMS Waivers are implemented differently and by different entities in each state.
- All services in the new SDP Waiver must be in compliance with CMS Settings Rules which have until 2019 to be met. California is in a period of transition. There is much uncertainty about which services will be allowed under the new Settings Rules and this will affect SDP reimbursable services now.
- No additional funding is given by DDS to regional centers to implement SDP. No funds for trainings, outreach, committees, etc.

## KEY:

**CMS**- Centers for Medicare & Medicaid Services

**DHCS**- Department of Health Care Services

**DDS**- Department of Developmental Services

**SDP**- Self Determination Program

**DRC**- Disability Rights California

**OCRA**- Office of Clients' Rights

**SCDD**- State Council on Developmental Disabilities

Lanterman Act- state of CA law